



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,112	03/31/2004	Siva G. Narendra	INTEL-0042	5552
34610 75	90 02/03/2005		EXAMINER	
FLESHNER & KIM, LLP			DINKINS, ANTHONY	
P.O. BOX 221200 CHANTILLY, VA 20153			ART UNIT	PAPER NUMBER
			2831	
			DATE MAILED: 02/03/2009	DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
Office Action Comments	10/813,112	NARENDRA ET AL.			
Office Action Summary	Examiner	Art Unit			
	Anthony Dinkins	2831			
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address			
A SHORTENED STATUTORY PERIOD FOR REPL' THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a repl - If NO period for reply is specified above, the maximum statutory period or - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be time y within the statutory minimum of thirty (30) daywill apply and will expire SIX (6) MONTHS from the application to become ABANDONE	nely filed s will be considered timety. the mailing date of this communication. D (35 U.S.C. § 133).			
Status		•			
1) Responsive to communication(s) filed on 31 M	larch 2004.				
2a) ☐ This action is FINAL . 2b) ☑ This	action is non-final.				
3) Since this application is in condition for allowa	3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is				
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.			
Disposition of Claims					
4)⊠ Claim(s) <u>1-30</u> is/are pending in the application	•				
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6) ☐ Claim(s) is/are rejected.		•			
7) Claim(s) is/are objected to.					
8)⊠ Claim(s) <u>1-30</u> are subject to restriction and/or	election requirement.				
Application Papers					
9) The specification is objected to by the Examine	er.				
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.					
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correct	ion is required if the drawing(s) is obj	ected to. See 37 CFR 1.121(d).			
11)☐ The oath or declaration is objected to by the E>	caminer. Note the attached Office	Action or form PTO-152.			
Priority under 35 U.S.C. § 119					
12)☐ Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. & 119(a)	u-(d) or (f)			
a) ☐ All b) ☐ Some * c) ☐ None of:					
 Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No 					
					3. Copies of the certified copies of the prior
application from the International Bureau	u (PCT Rule 17.2(a)).				
* See the attached detailed Office action for a list	of the certified copies not receive	d.			
Attachment(s)					
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Ll Interview Summary Paper No(s)/Mail Da				
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	atent Application (PTO-152)				
Paper No(s)/Mail Date	6)				

Restriction to one of the following inventions is required under 35 U.S.C. 121:

 Claims 1-20 and 25-30, is drawn to an ultracapacitor, classified in class 361, subclass 502.

II. Claims 21-24, is drawn to a battery, classified in class 429, subclass 122 Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions such as a capacitor and battery would operate differently.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

A telephone call was made to Mr. Mark Fleshner on January 26, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Application/Control Number: 10/813,112 Page 3

Art Unit: 2831

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Dinkins whose telephone number is (571) 272-1972. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Dinkins Primary Examiner

Art Unit 2831

ANTHONY DINKINS PRIMARY EXAMINER